



The Honorable Burrell Ellis
Chief Executive Officer

**DeKalb County
Department of Planning & Sustainability
Zoning Board of Appeals**



**Manuel J. Maloof Administration Center Auditorium
1300 Commerce Drive Decatur, GA 30030**

BOA Meeting Date: Wednesday, April 11, 2012 at 1:00 P.M.

AGENDA

CALL MEETING TO ORDER

NOTE: Applicant or appointed representative should be present. If unable to attend, please contact the Planning Department at (404) 371-2155

CALL MEETING TO ORDER

**DETERMINATION OF A QUORUM
PREAMBLE AS TO PURPOSE AND PROCEDURES OF THE BOARD OF APPEALS
INTRODUCTION OF MEMBERS, STAFF AND COUNTY REPRESENTATIVES**

MEMBERS:

BONNIE JACKSON (CHAIRPERSON)

LIZ BEYER

DARRYL K. JENNINGS, SR

NADINE RIVERS-JOHNSON

JEREMY CLARK

REBECCA CHASE WILLIAMS

TYRONE MAGBY

(A-Absent; EXA-Excused Absence; U-Unexcused Absence; P-Present; R-Resigned; TE-Term Expired)

QUORUM DETERMINATION: yes no
COUNTY REPRESENTATIVE: yes no

DEFERRED FROM APRIL 11, 2012 AND MAY 9, 2012 AND MARCH 14, 2012 AND JUNE 13, 2012 PUBLIC HEARING

D-1 Application No: A-12-17630 Parcel ID: 18-199-03-020

Commission District: 2 Super District: 6

Applicant: Mark Baker
1960 Tall Tree Drive
Atlanta, GEORGIA 30324

Owner: Mark Baker

Project Name: 1960 Tall Tree Drive

Zoning: R-85 (S-Fam Res. Min Lot 12000 Sq.Ft);

Location The property is located north west corner of Tall Tree Drive and Roxboro Drive (at 1960 Tall Tree Drive)

Request: **Variance requests from the DeKalb County Zoning Ordinance, to:**
(1) Allow construction of an accessory structure (swimming pool) in the front yard on a corner lot (Section 27-731.c);
(2) Reduce the rear yard setback from thirty-six (36) feet (pursuant to AV-05005) to thirty-five point eight (35.8) feet to bring the house into compliance with the zoning ordinance (Section 27-166.e); and
(3) Allow a fence higher than four (4) feet in the front yard (Section 27-878.a); to enclose the swimming pool, relating to the R-85 zoning district.

NEW HEARING ITEMS

N-1 Application No: A-12-17682 Parcel ID: 18-282-09-031

Commission District: 1 Super District: 7

Applicant: Quik Trip Corporation
952 Old Peachtree Road, N.W. Bldg 100
Lawrenceville, GEORGIA 30043

Owner: Group Chamblee Tucker Llc; Estate Of Poulos George; Estate Of Poulos Georga

Project Name: 2793 Chamblee Tucker Road

Zoning: C-1 (Local Commercial District);

Location The property is located the southwest corner of Dresden Drive and Chamblee-Tucker Road.

Request: **Variance request from Section 27-582 of the DeKalb County Zoning Ordinance to reduce the transitional buffer from fifty (50) feet to twenty-five point three-five (25.35) feet, relating to the C-1 zoning district (pursuant to Z-12-17589).**

NEW HEARING ITEMS

N-2 Application No: A-12-17690 Parcel ID: 18-200-04-024

Commission District: 2 Super District: 6

Applicant: Barbara M. Wojhoski And Douglas W. Stott
1037 Pine Grove Ave., N.E.
Atlanta, GEORGIA 30319-3313

Owner: Douglas Stott; Barbara Wojhoski

Project Name: 1037 Pine Grove Avenue

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the south side of Pine Grove Avenue, about 1,107 feet west of Colonial Drive (at 1037 Pine Grove Avenue).

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Reduce the average front yard setback from seventy-two point seven (72.7) feet to thirty (30) feet (Section 27-788a.); and (2) Raise the front door threshold from the current elevation of 978.76 feet to an elevation of 983.76 feet (Section 27-749), to construct a new house, relating to the R-75 zoning district.**

NEW HEARING ITEMS

N-3 Application No: A-12-17696 Parcel ID: 18-251-05-007

Commission District: 1 Super District: 7

Applicant: Herman And Mary Donatelli
3814 Gleneagles Court
Tucker, GEORGIA 30084

Owner: Herman Donatelli; Mary Donatelli

Project Name: 3814 Gleneagles Court

Zoning: R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

Location The property is located on the north side of Gleneagles Court, about 190 feet east of Gleneagles Drive at 3814 Gleneagles Court.

Request: **Variance request from Section 27-146(e) of the DeKalb County Zoning Ordinance to reduce the rear yard setback from forty (40) feet to twenty-five (25) feet, to build an addition to an existing house, relating to the R-100 zoning district.**

NEW HEARING ITEMS

N-4 Application No: A-12-17697 Parcel ID: 18-113-09-008

Commission District: 2 Super District: 6

Applicant: Shaun And Laura Brown
2549 Tanglewood Road
Decatur, GEORGIA 30324

Owner: Shaun Brown; Laura Brown

Project Name: 2549 Tanglewood Road

Zoning: R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

Location The property is located on the northside of Tanglewood Road, about 436 feet east of Oak Grove Drive (at 2549 Tanglewood Road)

Request: **Variance request from Section 27-146(d) of the DeKalb County Zoning Ordinance to reduce the interior side yard setback from the east property line from ten (10) feet to seven point one (7.1) feet, to complete a building addition, relating to the R-100 zoning district.**

NEW HEARING ITEMS

N-5 Application No: A-12-17699 Parcel ID: 15-230-01-015

Commission District: 4 Super District: 7

Applicant: Primarera Iglesia Baptista Hispanade Metro Atlanta
3532 Covington Highway
Decatur, GEORGIA 30032

Owner: First Spanish Baptist Church; Inc

Project Name: 3532 Covington Highway

Zoning: O-I (Office Institutional District);

Location The property is located on the east side of Covington Highway, about 825 feet south of Memorial Drive.

Request: **Variance request from Section 27-492 of the DeKalb County Zoning Ordinance, to reduce the transitional buffers from fifty (50) feet to thirty (30) feet from the north and south property lines to build a parking lot for a place of worship, relating to the O-I zoning district.**

NEW HEARING ITEMS

N-6 Application No: A-12-17700 Parcel ID: 18-111-03-023

Commission District: 2 Super District: 6

Applicant: La Parrilla Mexican Restaurant
1306 Cobb Industrial Drive
Marietta, GEORGIA 30066

Owner: Toco Hills (E&A) Llc

Project Name: La Parrilla Mexican Restaurant At Toco Hills

Zoning: C-1 (Local Commercial District);

Location The property is located on the west side of North Druid Hills Road, about 1,220 feet north of Clairmont Road at 2945 N. Druid Hills Road.

Request: **Variance request from Section 21-20(a) of the DeKalb County Sign Ordinance to install a third wall sign on a free standing building located at the Toco Hills Shopping Center, relating to the C-1 zoning district.**

NEW HEARING ITEMS

N-7 Application No: A-12-17701 Parcel ID: 18-204-02-005

Commission District: 2 Super District: 6

Applicant: Juan Mendoza
8610 Colony Club Dr
Alpharetta, GA 30022

Owner: Juan Mendoza

Project Name: 1958 Shalimar Drive

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the north side of Shalimar Drive, about 1,068.7 feet west of Clairmont Terrace (at 1958 Shalimar Drive).

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Reduce the average front yard setback from fifty-seven point four-five (57.45) feet to forty-seven (47) feet to construct a covered front porch (Section 27-788.a); and (2) Reduce the interior side yard setback from the north property line from seven point five (7.5) feet to five point eight (5.8) feet (Section 27-186.d) to bring an existing house into compliance with the zoning ordinance, relating to the R-75 zoning district.**

NEW HEARING ITEMS

N-8 Application No: A-12-17705 Parcel ID: 18-117-01-071

Commission District: 2 Super District: 7

Applicant: Kenneth Busch
1256 Mayfield Dr
Decatur, GA 30033-3335

Owner: Kenneth Busch

Project Name: 1250 Mayfield Drive

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the west side of Mayfield Drive, about 225 feet south of Valaire Drive.

Request: **Variance request from Section 27-788(a) of the DeKalb County Zoning Ordinance, to reduce the average front yard setback from forty-seven (47) feet to thirty-nine point five (39.5) feet to construct an addition, relating to the R-75 zoning district.**

NEW HEARING ITEMS

N-9 Application No: A-12-17706 Parcel ID: 18-148-01-005, 18-148-01-017, 18-148-01-022

Commission District: 2 Super District: 6

Applicant: Arbor Montessori School Inc
Po Box 15281
Atlanta, GA 30333

Owner: Arbor Montessori School Inc

Project Name: 2998 Lavista Road

Zoning: R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

Location The property is located on the north side of Lavista Road, about 1,637 west of Pangborn Circle.

Request: **Variance request from Section 27-149 of the DeKalb County Zoning Ordinance, to increase lot coverage to fifty-one (51%) percent, to expand the Montessori School, relating to the R-100 zoning district.**

NEW HEARING ITEMS

N-10 Application No: A-12-17709 Parcel ID: 18-276-08-001

Commission District: 1 Super District: 6

Applicant: Thomas And Beverly Rogers
3096 Lanier Drive
Atlanta, GEORGIA 30319

Owner: Thomas Rogers; Beverly Rogers

Project Name: 3096 Lanier Drive

Zoning: R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

Location The property is located on the west side of Lanier Drive, about 335 feet south of Windsor Parkway (at 3096 Lanier Drive)

Request: **Variance request from Section 27-149 of the DeKalb County Zoning Ordinance, to increase lot coverage from thirty-five (35%) percent to thirty-eight point two-nine (38.29%) percent to construct a swimming pool, relating to the R-100 zoning district.**

NEW HEARING ITEMS

N-11 Application No: A-12-17710 Parcel ID: 18-008-03-009

Commission District: 2 Super District: 6

Applicant: 2995 Ponce Llc
The Galloway Law Group 3500 Lenox Rd, Suite 760
Atlanta, GEORGIA 30326

Owner: 2995 Ponce Llc

Project Name: 2995 E. Ponce De Leon Ave.

Zoning: M (Light Industrial);

Location The property is located on the south side of East Ponce de Leon Ave, about 1,183 feet east of DeKalb Industrial Way (at 2995 E. Ponce de Leon Ave).

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Reduce the front yard setback from seventy-five (75) feet to sixty point six-one (60.61) feet (Section 27-621c.1.a); (2) Reduce the side yard setback from twenty (20) feet to one point seven-one (1.71) feet from the north property line (Section 27-621c.1.b); (3) Reduce the rear yard setback from thirty (30) feet to eighteen point four (18.4) feet (Section 27-621.c.2); (4) Increase lot coverage (existing lot coverage is 85.13%) to ninety-two (92%) percent (Section 27-623); and (5) Reduce parking from the required two hundred (200) parking spaces to the existing one hundred and twenty-seven (127) parking spaces (Section 27-625), to bring an existing building into compliance with the Zoning Ordinance and allow three new tenants to occupy the space, relating to the M zoning district.**

NEW HEARING ITEMS

N-12 Application No: A-12-17714 Parcel ID: 18-239-06-005

Commission District: 1 Super District: 6

Applicant: Boos Development Group, Inc.
2651 McCormick Drive
Clearwater, FLORIDA 33759

Owner: Sds Real Property Holdings Ltd

Project Name: 3920 Peachtree Road

Zoning: C-1 (Local Commercial District);

Location The property is located on the north side of Peachtree Road, about 526 feet east of Brookhaven Drive.

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Increase the parking from the maximum 18 spaces to 30 parking spaces (Section 27-7228.15.10.2); (2) Increase the front yard setback distance from 20 feet to 54 feet (Section 27-728.15.12.d.7); and (3) Increase the maximum space between buildings (Section 27-728.15.12.d.10), to construct a new building, relating to the Brookhaven Zoning Overlay District.**

NEW HEARING ITEMS

N-13 Application No: A-12-17720 Parcel ID: 18-238-14-001, 18-238-14-002, 18-238-14-003, 18-238-14-004, 18-238-14-005, 18-238-14-041, 18-238-14-044

Commission District: 2 Super District: 6

Applicant: Alan Kennedy
Five Ravinia Drive
Atlanta, GEORGIA 30346

Owner: D C Woodley & Associates Inc; Ashford At Brookhaven Llc

Project Name: Ashford At Brookhaven Llc

Zoning: C-1 (Local Commercial District); O-I (Office Institutional District);

Location The property is located on the south side of Dresden Drive, between Ellijay Drive and Fernwood Circle

Request: **Variance request from Section 27-728.15.8(c)(2) of the DeKalb County Zoning Ordinance, to reduce the sidewalk width from ten (10) feet to eight (8) feet, relating to the Brookhaven Zoning Overlay District.**

NEW HEARING ITEMS

N-14 Application No: A-12-17723 Parcel ID: 18-200-07-020

Commission District: 2 Super District: 6

Applicant: David And Beth Degitz
2294 Matthews St Ne
Atlanta, GA 30319-3871

Owner: Bethann Degitz

Project Name: 2294 Matthews Street

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the south side of Matthews Street, about 207 feet south of Pine Grove Avenue.

Request: **Variance request from Section 27-189 of the DeKalb County Zoning Ordinance, to increase lot coverage from a maximum of thirty-five (35%) percent to forty-five point five (45.5%) percent (already existing) to replace an impervious area with a second story, screened porch, relating to the R-75 zoning district.**

NEW HEARING ITEMS

N-15 Application No: A-12-17726 Parcel ID: 18-156-02-005

Commission District: 2 Super District: 6

Applicant: James Crawford, Trustee
26565 Miles Road Suite 200
Warrensville Heights, OHIO 44128

Owner: James Crawford; Commercial Properties Assoc; James Crawford

Project Name: 1535 Northeast Expressway

Zoning: M (Light Industrial);

Location The property is located at the south west corner of the Northeast Expressway and Tullie Circle

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Increase the maximum lot coverage from eighty (80%) percent (existing lot coverage is 84%) to eighty-six point five (86.5%) (Section 27-623); and (2) Allow vehicles to be paved on a structure that is not pavement (Section 27-766.b.2) to provide ten additional parking spaces, relating to the M zoning district.**
